

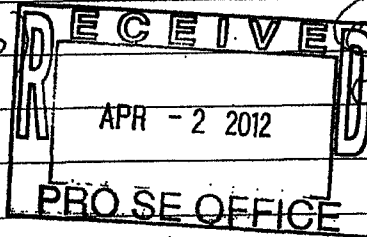
12 CV 02834



IN THE United States District Court  
FOR THE Southern District of New York

Petitioner

Daniel DELOIR (A.K.A. TRIP)

6 CRIM 576 (BSJ)  
7 CIV 10633 (BSJ)

VS

United States of America

Respondent

First Amendment Petition For A Redress OF griellances  
Comes now The Petitioner, Daniel Deloir, prose, in The Spirit  
of The 1<sup>st</sup> Amendment and Pursuant to 28 U.S.C 1331 - Federal  
Question, Respectfully moves This honorable Court For A "  
First Amendment Petition For A Redress OF grievances" For The  
Following Reasons: (SEE attached memorandum)

### Jurisdiction

This Court Holds Jurisdiction Pursuant to The 1<sup>st</sup> Amendment  
of The United States Constitution and Under "Federal Question"  
Pursuant to 28 U.S.C. 1331.

### Argument

IN Light of The Supreme Court's Recent Decision in *Bond vs*  
*United States*, 2011 U.S. Lexis 4558 (U.S. June 16<sup>th</sup> 2011) and in violation  
of The Tenth Amendment, The Ex post Facto Clause, The Establish  
ment Clause, The Due Process Clause, and The Separation-of-Powers  
Clause, Congress Exceeded Their Authority under Their Enumerated Power  
Therefore, The Court of Trial and Conviction Lacked Jurisdiction, And  
WAS without Jurisdiction to impose Such Sentence and was imposed  
in Violation of The Constitution OR Laws of The United States,

Wherefore, liable for injury.

### Question Presented

1) "Whether the United States (I.E, Congress, Federal government Court) Lacked Jurisdiction, WAS without Jurisdiction to impose Such Sentence, And was imposed in violation of the Constitution OR Laws OF THE UNITED STATES

2) "IN light of the Supreme Court Recent Decision in *Bond vs. United States*, 2011 U.S. Lexis 4558 (U.S. June 16<sup>th</sup> 2011) A) whether the Petitioner has Standing to raise the tenth Amendment, Ex Post Facto Clause, The establishment Clause, The Due Process Clause, And the Separation-of-Powers Clause AS grounds For Invalidating Federal Statute(S) in Absence of A State's Participation in the Proceeding (B) whether That the Conduct with which the Petitioner was charged and convicted was "LOCAL in Nature" And "Should have been left to local Authorities to Prosecute" And That Congressional Regulation of That Conduct" Signals A massive and unjustifiable Expansion of Federal Law Enforcement Into State-Regulation Domain (C) whether A person indicted For Violating A Federal Statute (D) has standing to challenge it's validity on grounds That By Enacting it, Congress Exceeded it's power under The Constitution (I.E, the Tenth Amendment, The Separation-of-Powers Clause, Ex Post Facto clause, The Establishment Clause, And The Due process clause) Thus Intruding, Impinging, Interfering And undermining upon the Sovereignty And Authority OF The States (D) whether That the Statute(S) under which the movant was charged exceeds Congress Enumerated Powers and violates The Tenth Amendment, The Separation of Powers Clause, The Ex Post Facto Clause, The Establishment Clause And The Due Process Clause and whether Does A Criminal Defendant Convicted under A Federal Statute (S) have Standing to Challenge his Conviction on grounds That, AS Applied to him, The Statute (S)

were beyond The Federal government Enumerated Powers and inconsistent with The tenth Amendment, the SEparation OF Powers clause, The Ex Post FACTO Clause, The Establishment Clause, And The due process Clause?"

### Grounds

I make Full and Complete Reference to The Attached memorandum OF Law in Support?

### Relief

wherefore, The Petitioner ASKS For The mercy OF This honorable Court TO TAKE Judicial Notice OF FACTS; TO MAKE A Judicial Intervention to order A hearing w/ The petitioner Present to be heard in These regards; to issue order For The United States government to Show Cause, to render The Conviction and Plea Agreement void, illegal And unConstitutional, to immediately Discharge and release The Petitioner From These Restraints And Prison, And to order The United States government Liable AS A matter OF Law!

Respectfully Submitted by

Daniel Deloir 59678-054

### Certificate of Service

I, Daniel Deloir, Do hereby Certify That This petition with memorandum OF Law in Support was Sent to This U.S.P.C - Clerks Office For Filing, Process and Service via Postal mail This 21 Day OF MARCH 2012

Respectfully Submitted by

Daniel Deloir 59678-054

United States Penitentiary Lewisburg

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